IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.9026 OF 2005.

Shri Balu Umaji Kadam : Petitioner.

versus

The State of Maharahstra & ors. : Respondents.

ALONG WITH
WRIT PETITION NO.9027 OF 2005

Shri Shivaji Trimbak Chaskar : Petitioner

versus

The State of Maharashtra & ors. : Respondents.

Shri Shivajirao Shinde, Advocate, for the petitioner.

Shri C.R.Sonawane, AGP, for the State.

CORAM : R.M.S.KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED : 31st AUGUST 2006.

COMMON ORAL ORDER

1. Since common question of facts involve in both the petitions, they were heard together and are being disposed of by this common order.

2. Heard. Both the petitioners seek inclusion of their names in the select list and further directions to the respondents to send

them for training. Undoubtely, the petitioners were not selected for the purpose of appointment to the posts of as driver. There cannot be a direction in the nature asked for unless the petitioners make out a case to the effect that they were denied selection in a arbitrary process or action on the part of the respondents denying such selection being malafide. The only contention which is sought to be raised in the petitions is that the candidates from 57-99 serially were dropped and, therefore, there is suspicion that they were dropped for some extraneous reasons. Mere speculation on the part of the petitioners in that regard cannot be a ground for interference in writ jurisdiction, the selection was pursuant to the advertisement issued prior to July 2003 and the petitions have been filed as late as in October 2005. Apart from the fact that, there is no explanation for the laches on the part of the petitioners in approaching the Court, even on merits there is no case made out for interference by this Court in writ jurisdiction for the reasons stated above. Hence both the petitions are rejected.

[R.M.S.KHANDEPARKAR, J]

[NARESH H. PATIL, J]